

FORM PTO-1390 (Modified)
(REV 11-98)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

14007

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.5)

09/674543

INTERNATIONAL APPLICATION NO.
PCT/FI99/00423INTERNATIONAL FILING DATE
17 May 1999 (17.05.99)PRIORITY DATE CLAIMED
18 May 1998 (18.05.98)

TITLE OF INVENTION

CRYSTALLIZATION OF XYLITOL, CRYSTALLINE XYLITOL PRODUCT AND USE THEREOF

APPLICANT(S) FOR DO/EO/US

Heikki Heikkila, Johanna Nygren, Marja-Leena Sarkki, Hakan Gros, Olli-Pekka Eröma, Julita Pearson and Tammy Pepper

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☒ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ A copy of the International Search Report (PCT/ISA/210).
8. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
9. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
10. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
11. ☒ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 13 to 20 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A change of power of attorney and/or address letter.
19. ☒ Certificate of Mailing by Express Mail
20. ☒ Other items or information:

Courtesy copy of International Application
 Three (3) sheets of drawings

| | | | | | |
|--|--|--|--|--|--|
| U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.5) 09/67454 | | INTERNATIONAL APPLICATION NO. PCT/FI99/00423 | | ATTORNEY'S DOCKET NUMBER 14007 | |
|--|--|--|--|--|--|

21. The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :

| | |
|--|-------------------|
| <input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO | \$1,000.00 |
| <input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO | \$860.00 |
| <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO | \$710.00 |
| <input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) | \$690.00 |
| <input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) | \$100.00 |

ENTER APPROPRIATE BASIC FEE AMOUNT =

| | | |
|--|-----------------|--|
| Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492 (e)). <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 | \$860.00 | |
| | \$130.00 | |

| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | TOTAL | |
|--|--------------|--------------|-----------|----------------------|---------------|
| Total claims | 37 - 20 = | 17 | x \$18.00 | \$306.00 | |
| Independent claims | 3 - 3 = | 0 | x \$80.00 | \$0.00 | |
| Multiple Dependent Claims (check if applicable). <input type="checkbox"/> | | | | \$0.00 | |
| TOTAL OF ABOVE CALCULATIONS | | | | = \$1,296.00 | |
| Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28) (check if applicable). <input type="checkbox"/> | | | | \$0.00 | |
| SUBTOTAL | | | | = \$1,296.00 | |
| Processing fee of \$130.00 for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492 (f)). <input type="checkbox"/> 20 <input type="checkbox"/> 30 | | | | + | \$0.00 |
| TOTAL NATIONAL FEE | | | | = \$1,296.00 | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). <input type="checkbox"/> | | | | \$0.00 | |
| TOTAL FEES ENCLOSED | | | | = \$1,296.00 | |
| | | | | Amount to be: | \$ |
| | | | | refunded | |
| | | | | charged | \$ |

☒ A check in the amount of **\$1,166.00** to cover the above fees is enclosed.

☐ Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.

☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. **19-1013/SSMP** A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Leopold Presser
Registration No. 19, 827

Scully, Scott, Murphy & Presser
400 Garden City Plaza
Garden City, NY 11530
(516) 742-4343

SIGNATURE _____

Leopold Presser

NAME _____

19, 827

REGISTRATION NUMBER _____

November 2, 2000

DATE _____

09/674543

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)

Applicant(s): Heikki Heikkila, et al.

Docket No.
14007Serial No.
UnassignedFiling Date
HerewithExaminer
UnassignedGroup Art Unit
UnassignedInvention: CRYSTALLIZATION OF XYLITOL, CRYSTALLINE XYLITOL PRODUCT AND USE
THEREOF

I hereby certify that the following correspondence:

PCT Application

(Identify type of correspondence)

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under
37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231

November 2, 2000

(Date)

Mishelle Mustafa

(Typed or Printed Name of Person Mailing Correspondence)

(Signature of Person Mailing Correspondence)

EL658969744US

("Express Mail" Mailing Label Number)

Note: Each paper must have its own certificate of mailing.